

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IN RE TREMONT SECURITIES LAW,
STATE LAW AND INSURANCE
LITIGATION

This Document Relates to:
State Law Action, 08 Civ. 11183

Master File No.:
08 Civ. 11117 (TPG)

THE LUGANO TRUST, THE HERMITAGE
TRUST, THE JAYBEE TRUST, THE
CONICK TRUST, THE SONICK TRUST,
THE CLARICK TRUST, THE CALITHA
TRUST, BRITTANY INVESTMENT
INTERNATIONAL CORPORATION I,
BRITTANY INVESTMENT
INTERNATIONAL CORPORATION II,
TRILOGY INVESTMENT HOLDING
CORPORATION I, TRILOGY
INVESTMENT HOLDING CORPORATION
II, THE RAINBOW TRUST,
IRREVOCABLE TRUST BETWEEN
MARJORIE ALFUS AND JOEL LEVINE
CPA, THE MAGNOLIA TRUST, THE
INDIGO TRUST, THE SINCERITY TRUST,
THE CORFU TRUST, THE CRETE TRUST,
THE SPIRAL TRUST, THE JULIP TRUST,
THE GRENOBLE TRUST, THE PROTEA
TRUST, THE TRIESTE TRUST, THE
LIFEGRO TRUST, THE MARIGOLD
TRUST, THE FLAMENCO TRUST, THE
MAMRE TRUST, THE SANDAN TRUST,
and 2006 LIONEL LAPINER FAMILY
TRUST,

09 Civ. 6840 (TPG)

Plaintiffs,

v.

TREMONT CAPITAL MANAGEMENT,
INC., TREMONT PARTNERS, INC.,
TREMONT GROUP HOLDINGS, INC.,
TREMONT (BERMUDA) LIMITED,

Caption continues

Continued from prior page

RYE INVESTMENT MANAGEMENT, INC.,
OPPENHEIMER ACQUISITION
CORPORATION, MASSACHUSETTS
MUTUAL LIFE INSURANCE COMPANY,
KPMG LLP, BANK OF NEW YORK
MELLON, ERNST & YOUNG LLP,
SANDRA L. MANZKE, ROBERT
SCHULMAN, and SHL CAPITAL LTD.,

Defendants.

THE TREMONT INSURANCE
PLAINTIFFS' LITIGATION TRUST,

Plaintiff,

v.

KPMG LLP, KPMG (CAYMAN ISLANDS),
KPGM INTERNATIONAL COOPERATIVE,
BANK OF NEW YORK MELLON, and SHL
CAPITAL LTD.,

Defendants.

10 Civ. 9274 (TPG)

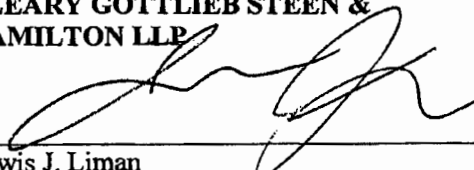
**NOTICE AND STIPULATION OF VOLUNTARY DISMISSAL WITH PREJUDICE OF
CLAIMS AGAINST DEFENDANT BANK OF NEW YORK MELLON**

Pursuant to Rule 41(a)(1)(A)(i) of the Federal Rules of Civil Procedure, Plaintiffs in *The Lugano Trust et al. v. Tremont Capital Management, Inc.*, No. 09 Civ. 6840 (TPG) (S.D.N.Y.) (the "Lugano Action") and *Tremont Insurance Plaintiffs' Litigation Trust v. KPMG LLP*, No. 10 Civ. 9274 (TPG) (S.D.N.Y.) (the "Litigation Trust Action") (together with the Lugano Action, the "Actions") through their respective counsel, hereby agree and stipulate to the dismissal of all claims in the Actions against Defendant Bank of New York Mellon ("BNY"), with prejudice.

Plaintiffs in the Actions and BNY further stipulate that each party shall bear its own fees and costs.

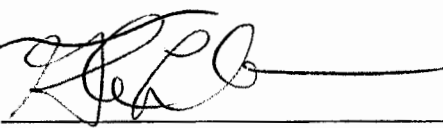
IN WITNESS WHEREOF, the parties hereto have caused this Notice and Stipulation of Voluntary Dismissal to be executed, by their duly authorized attorneys, dated as of September 30, 2014.

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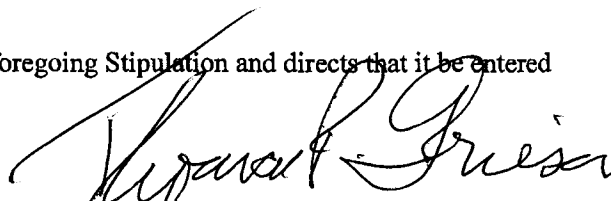
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*Attorneys for the Plaintiff in the Litigation
Trust Action*

THE COURT approves of the foregoing Stipulation and directs that it be entered
as an Order of the Court:

SO ORDERED:

A handwritten signature in black ink, appearing to read "Thomas P. Griesa", written over a horizontal line.

HONORABLE THOMAS P. GRIESA
UNITED STATES DISTRICT JUDGE

10/3/14